

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Helmut SCHWAB et al. :  
Serial No. [NEW] : Attn: APPLICATION BRANCH  
Filed January 16, 2002 : Docket No. 2001\_1882A  
NEW GENES CONTAINING A DNA :  
SEQUENCE CODING FOR HYDROXY- :  
NITRILE LYASE, RECOMBINANT :  
PROTEINS DERIVED THEREFROM AND :  
HAVING HYDROXYNITRILE LYASE :  
ACTIVITY, AND USE THEREOF :

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of ☒ the references listed on attached form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. \_\_\_\_\_.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing date of the first Office Action on the merits,

**and thus no certification and/or fee is required.**



1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

1d. ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this information was not received by any individual designated in 37 CFR 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement. Accordingly, this application is entitled to the protection of 37 CFR 1.704(d) with regard to the filing of this Information Disclosure Statement.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or


b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at pages \_\_\_\_\_,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.
6. ☒ Applicants offer the following comments for the Examiner's consideration:

U.S. 6,046,042 submitted herewith corresponds to WO97/03204 discussed on page 1 of the present specification.

Respectfully submitted,

Helmut SCHWAB et al.

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January 16, 2002

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: January 16, 2002

ATTY DOCKET NO.  
2001-1882ASERIAL NO.  
[NEW]APPLICANT  
Helmut SCHWAB et al.FILING DATE  
January 16, 2002

GROUP

JC879 U.S. PTO  
10/016232

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,046,042	4/2000	Hasslacher et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ							
	AK							
	AL							
	AM							
	AN							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Suelves et al., Planta, Vol. 206, pp. 388-393 (1998)
	AP	Hu et al., Plant Physiology, Vol. 119, pp. 1535-1546 (1999)
	AQ	

EXAMINER

DATE CONSIDERED